

The minutes reflect the impressions of the writer, of the discussions and proposals and are not intended to imply or announce policy or directives. Refer to the specifications to determine MDT requirements.

February 14, 2008  
MCA-MDT Technical Committee Meeting Minutes

Dave Blair opened the meeting with introductions. MCA pointed out the anti-trust policy included with the attendance sheet, and reminded members to read and abide by the policy.

**OLD BUSINESS ISSUES**

**1. Seal Coat Warranty.** MCA is opposed to the seal coat warranty specification. Some MCA members stated they were unaware of the changes. MDT stated that the specification was sent to MCA for comments on approximately June 4, 2007 and discussed in past MCA/MDT technical committee meetings. MDT stated that the spec went through the normal revision process and MCA did not comment.

MCA questioned why MDT planned to extend the warranty to December. MCA is concerned about damage due to snow plows, chains, and de-icer. MDT responded the date of December was chosen so MDT could get some indication of the seal and cover's performance in cold weather. MDT stated it fully understands that winter maintenance activities and tire chains may cause some damage and is beyond the contractor's control. It is not MDT's intention to hold the Contractor responsible for this type of damage.

MCA stated that the bonding company's may have issues with unequal warranty periods depending on the contractors operations. MDT stated that it has discussed warranties with the bonding companies. The bonding companies claimed that they are responsible for covering the project for a minimum of one year, therefore the time frames of the seal and cover warranty should fall well within their warranty time frame.

MCA stated that the design quantities for oil on Seal and cover are not sufficient for Grade S mix due to the excessive voids. MDT stated the contractor is responsible for applying the correct amount to produce a quality product and to bid oil accordingly.

MDT stated that a fog seal is required prior to seal to fill in voids if the project will receive the chip seal the same year it is paved. MDT stated that a fog seal may be a safety hazard and is opposed to its use if the project will receive the chip seal the following year.

In conclusion, MDT stated that it will follow through with the seal coat warranty as proposed. MDT stated it understands MCA's concerns and will be making changes to the warranty guide to address winter maintenance and tire chain issues.

**MDT NEW BUSINESS**

**1. New Specification Revisions.** MDT announced that six specifications and two standard specials were sent out for review as of February 4, 2008. MDT briefly explained each proposed specification change. No consensus was determined since the comment period will be open until February 29, 2008.

**Supplemental Specifications**

- 106.02.3 Contractor Furnished Sources Micro-Deval
- 107.06 Public Convenience and Safety (High-Visibility Safety Apparel)
- 109.04.2 Force Account

The minutes reflect the impressions of the writer, of the discussions and proposals and are not intended to imply or announce policy or directives. Refer to the specifications to determine MDT requirements.

208.05	Basis of Payment - Category #1 and #2 for payment of BMP's
701.02.1	General Requirements - Micro Deval
701.03.1	General Requirements - Micro Deval
714.02	Temporary Pavement Marking Tabs

### **Standard Special Provisions**

[203]	Moisture Sensitive Soils.
[401]	Grade D Commercial Mix

**2. [401] Grade D Commercial Mix.** MCA had comments regarding Hamburg test time and MDT's "may test" wording in the specification. MDT responded that they hope to have Hamburg results within two days upon reception. Additionally, MDT planned to keep the "may test" wording in the specification. MDT stated that it is unlikely that they will require a Hamburg on small jobs, but needs to reserve the right to test the mix if quality is in question. This spec is presently out for comment.

**3. Force Account.** MDT presented the changes that are proposed (out for review this month) in regards to force account work. MCA commented that MDT has not been timely with payment force account work.

MDT commented that the contractor should do no work until he has written approval MCA commented they have had verbal approval then in some instances and not been paid.

### **MCA NEW BUSINESS**

**1. Temporary vs. Interim Striping.** MCA questioned the status of the Temporary / Interim striping issue on the final pavement lift. MDT responded that this issue has been difficult and there is no simple answer given the different scenarios that are possible, and will continue to work on a specification revision. MDT stated to submit a non-uniformity complaint to CES if there are issues.

**2. Geotechnical issues on retaining walls.** MCA mentioned that they need sufficient soils data from MDT when bidding retaining walls. MCA stated they can not afford to hire a consultant to obtain soils information just to bid a job. MDT stated the majority of the time soils boring data is available. In this case, special projects do arise, but normally data is available.

### **MDT NEW BUSINESS**

**1. State Optioned Sources.** MDT stated they are reviewing the possibility of state optioned sources for materials on applicable projects. At this point, more time is needed for research. No pilot projects have been determined.

The minutes reflect the impressions of the writer, of the discussions and proposals and are not intended to imply or announce policy or directives. Refer to the specifications to determine MDT requirements.

**2. Compaction.** MDT data suggests a trend that hot mix compaction has been sub-standard in recent jobs. MDT is concerned that ride incentives are substantial and the contractor is ignoring compaction requirements. MCA questioned if lift thickness may be a factor. MDT will further investigate the situation.

**3. Taking Advantage of Plan Errors.** Subsection 102.06 states that a Contractor must not take advantage of an apparent error in the bid package. MDT stated that some minor bid items recently have been substantially over average bid price amounts, and then the item overran due to a plan error. It appears that Contractors may be seeing the error and taking advantage with a bid that is far outside of the norm. MCA responded that small work quantity items typically are higher. MDT agreed that smaller quantity items are more costly but stated the items discovered were well beyond a reasonable cost, and were compared to similar quantity projects. MDT reminded MCA to follow the specification on apparent errors.

**4. CRS-2P.** The minimum tolerance will be increased from 10% to 15%.

*The next meeting will be March 12, 2008, at 10:00 AM at MCA office in Helena*